

# VERDICT MURDER SECOND DEGREE

## Kendall Jury Reports This Morning.

### The Murderer Will Receive Not Less Than Ten Years.

#### Useful Plea of Attorney Believed to Be Responsible for Verdict That Saves Murderer's Life.

Special to The Tribune.  
SALT LAKE, Utah, April 15.—At 7:30 this morning the jury in the Kendall case announced that it had arrived at a verdict later they filed into court and announced that they had found the defendant guilty of murder in the second degree.

The retirement of the jury last night at 10 o'clock was a relief to the court. The jury went to bed after a long day of deliberation. The jury had deliberated for nearly two hours. Judge Hall had supplied them with six folders of evidence ranging in degree from murder in the first degree down to involuntary manslaughter. The verdict was on the second degree.

**Prisoner Shook Like a Leaf.**  
Judge Hall convened court and the defendant was led in. He was very much shaken and trembled like a leaf when the verdict was passed to the clerk by the jury.

After long deliberations, the jury, which extended over thirteen days, was a sentiment for murder in the second degree; also for the same degree with recommendation for mercy. The power of Attorney Johnson in the case was believed to have been the agency which won the verdict. He is expected to file a motion for a new trial.

**Date for Sentence.**  
Judge Hall set the date of sentence for April 22. The penalty under the law is not less than ten years and may be life.

**Union Pacific Sued.**  
The Harney Wants Damages for Restraint Ejection From Train.

Mr. Harney on Monday will file in district court a suit against the Union Pacific Railroad company for damages amounting to \$1000. The suit is for the plaintiff, and in the complaint it is stated that on January 19, 1905, he purchased a ticket in Kansas City for a full class passage to Salt Lake, and paid for the same the sum of \$10.00. The ticket entitled him to a berth occupied same until the train reached between Cheyenne and Laramie, at 2 o'clock on the morning of January 21 the conductor of the train woke up and ordered him to dress himself, telling him to get out of the train. He did so in an insulting, loud and violent manner, to the great pain and humiliation of the plaintiff, that the same cold, plaintiff became sick from exposure, and rather than be ejected from the train, he paid, under protest, additional for the privilege of riding on the train.

Plaintiff claims damages in the sum of \$1000 and \$25.00 which he was compelled to pay.

**WIDSON-MUNSEY DECISION.**  
Injunction Restraining Munsey a Perpetual One.

Mr. Munsey and Richards are over the victory in the Max Davidson-Munsey case, which was decided in favor of Davidson yesterday in district court. The decision establishes the right of a trade name and prevents others from adopting or adapting the name. The decision also awards to Davidson a nominal sum of \$100, and the court has ordered that the costs and expenses of the suit be paid by Munsey. The latter being placed in a position to pay the costs and expenses of the suit.

**OGDEN OPENS BASEBALL.**  
Gimlin's Colts Will Play Cleveland Commission.

Tomorrow Dad Gimlin's colts will go to the Cleveland Commission team to play at Glenwood park and will open the baseball season. The catcher, service have been sought for by many teams elsewhere, and who was thought to be secured to Seattle, will stay here and will be with the team tomorrow. Following is the line-up:

Cleveland.  
Pitcher.....W. Smith  
Catcher.....J. Smith  
First.....J. Smith  
Second.....J. Smith  
Third.....J. Smith  
Fourth.....J. Smith  
Fifth.....J. Smith  
Sixth.....J. Smith  
Seventh.....J. Smith  
Eighth.....J. Smith  
Ninth.....J. Smith  
Tenth.....J. Smith  
Eleventh.....J. Smith  
Twelfth.....J. Smith

**Cohen Brought Back.**  
Detective Pender of the Ogden police force returned from Stockton, Cal., tonight with William Cohen in custody. Cohen is charged with forgery. He was a traveling man in the employ of a Pueblo firm. While in Ogden he obtained a check, which he passed on First and Main streets. Since his capture he has been learning the Pinkertons are after him for Chicago crimes. After the officers are through with him here he will probably be taken there.

**Brief Mention.**  
Sheriff Butler today took James Bottomer, recently sentenced by Judge Howell for nine months to the penitentiary.

Miss Olive Pars of Ogden is visiting in Salt Lake and is the guest of Miss Florence Grant for a week-end party.

The Salvation Army begins tonight its series of meetings for the extension of the home mission. The work is known as self-denial week.

Thomas Summers of Point Lookout, Box Elder county, was carefully injured by a delivery wagon striking him yesterday afternoon. He is now in the hospital at the Ogden hospital.

Manager O'Brien of the Ogden branch of the Postal Telegraph has fitted out his messengers with new uniforms of military blue, with black trimmings.

Henry B. Kuchler Bros. from west to Salt Lake tonight to look after lambing season. He will return next week.

**STATE NEWS.**  
CALIENTE IS NOW EXPECTING BIG BOOM

Special to The Tribune.  
CALIENTE, Nev., April 15.—The frame work of the new depot at Caliente is completed and the fixtures will be in place the coming week. Trains running through to Las Vegas now stop at the Danahoe hotel for breakfast going west and for dinner going east. The big new coal chute is in operation and the large steel water tank will be delivering water this week. Twelve new cottages are being erected on the land now occupied on the railroad grounds. Everyone in the employ of the railroad company has been notified to get off of the railroad grounds, and moving has been the order of the day this week. The city of Caliente is now in the hands of the railroad company. The city of Caliente is now in the hands of the railroad company. The city of Caliente is now in the hands of the railroad company.

W. H. Frost, the Salt Lake mining man, went to Ka Springs today to look over some mining properties in that district.

The bank of Provo has been in the Keweenaw country for the past month, passed through Caliente today with samples of free gold now taken from four claims which he has located. The ore going from \$100 to \$1000 per ton. He states that he has stripped a 3500 foot ledge for over 125 feet and the ore is from the foot wall, which as it goes down and showing good evidence of genuineness. He will go on to Ogden to consult with the bankers in regard to making an immediate shipment.

Widson and Clark of the Agricultural college delivered very interesting lectures at the session. Mrs. Williams was also present and spoke to a large number of ladies on domestic science. She was very popular and they were very beneficial to those who attended.

Through the earnest work of Superintendent of Schools A. L. Larson, the Central Utah college summer school will be held in this city, beginning early in June. The use of the new Snow academy building has been secured for the school. Prof. William Wetzel, supervisor of music in the Salt Lake public schools, and Prof. A. C. Carlson of Minnesota and others, specialists in their particular lines, have been secured. This season of the school promises to be one of the largest ever held.

Miss Rose Larson of this city and Mrs. B. B. B. of Mt. Pleasant were united in marriage Thursday. Miss Larson is the daughter of William A. Larson and is very popular among the young people of this city.

Mr. and Mrs. Louis Peterson have finished their labor as school teachers at Fountain Green and have moved to this city.

Mr. and Mrs. Ole Larson and Miss Eva Bailey, Mrs. John C. Burdette and daughter, June, left today for an extended trip through California. They will be gone about two months.

A large crowd of sheep-shearers left today for Pawnee, Wyo.

Alma Jensen and family moved to Spanish Fork, yesterday where she has obtained a position in the drug store.

**PARK CITY K. OF P. GIVE ENTERTAINMENT**

Special to The Tribune.  
PARK CITY, Utah, April 15.—One of the most successful social functions of the season was the grand ball and card party given in the grand hall last evening by Park Lodge No. 4, K. of P. The hall was artistically decorated in the colors of the order with several large American flags in conspicuous places. Progressive dances were played by those who did not dance, prizes being won by Mrs. A. Hedges, Mrs. Thelma P. McPherson and George Schaefer. At 11:30 o'clock refreshments were served in the balcony of the hall, after which the dance was continued until 2 o'clock. About 300 people were in attendance.

The funeral of the late Thomas Cunningham took place last evening at the residence of the Masonic hall under the auspices of Utah Lodge No. 1, P. & A. M. Rev. J. H. Murray of the Methodist church preached the service. At the grave the local lodge of Masons, of which deceased was a member, also held a short service.

The pupils of the eighth grade of the Park City school and also those from Kanab are being examined here yesterday and today. This is the first examination for graduation from the eighth grade. Another will be held late in May.

The finance committee of the baseball association met yesterday afternoon and succeeded in raising about \$500. This is an excellent start and renders the base-ball outlook in Park City bright and hopeful.

Manager McLaughlin and Capt. Harbison are steadily at work securing a good strong team, and they promise the Park City people some fast ball this summer.

**About American Fork.**  
Special to The Tribune.  
AMERICAN FORK, Utah, April 15.—The springing of the American Fork dam has commenced suit against Joseph M. Crandall, Cyrus Johnson and G. W. Shaw to collect \$2500 alleged to be due on a promissory note.

William C. Brown of Sandy, 22 years of age, has been committed to the State Mental hospital.

About fifty excursionists left here today for Provo, to witness the horse fair.

**TEA**  
What else can you buy as you buy Schilling's Best?

Your choice is yours, if you don't like it.

**MT. PLEASANT WANTS HIGH SCHOOL**

Special to The Tribune.  
MT. PLEASANT, Utah, April 15.—The school board of this city has called a meeting of the citizens to determine the question of having a high school established during the coming school year. Should the proposition be acceptable to the voters, the board will make preparations to that end and another room will be put in readiness in the Central school building.

A double wedding took place this week at the home of Martin Hasmussen. Lillie May Rosen and Joseph Sandermark, Myron Hines and Rose Larson of Ephraim, were the contracting parties. A large crowd of friends were in attendance at the wedding.

William Haden returned to Mack, Colo., this week after spending a few days at home with his family.

Mrs. and Mrs. Joseph N. Seely came in this week from their Canadian home for a short visit.

But Seely of this city has been called on a mission to Japan. The young man has been attending the Snow academy for some time preparatory for mission work. This is the first time that any Mount Pleasant young man has been called to the land of the Mikado.

The Mt. Pleasant soda water factory was sold this week to Frank Trickett, who came in from Newhouse to make the purchase. He will take possession at once.

The district school children will present the operetta, "The National Flower," next Friday evening at the opera house. The cast as made up includes the students of the school and a rare treat is promised the people of our city by those who are taking part.

**UTAH COUNTY HOLDS HORSE SHOW AT PROVO**

Special to The Tribune.  
PROVO, Utah, April 15.—The Utah County Horse Show, gotten up by the Commercial club of Provo, was a decided success. About forty of the best bred horses in the State were in the parade. Senator Smoot addressed the people from a stand in the city hall square. The biggest crowd that has been in Provo since the circus last year was in attendance. Cheap rates on the railroads enabled the people to come here and enjoy a day's outing. The horse show is the forerunner of a county fair to be held here next fall. If the people will work as hard for the fair as they did for the horse show today, Utah county will certainly have a successful fair. The Commercial club is working hard for the interests of Utah county and Provo.

The Utah County Teachers' association met today in the regular monthly meeting.

Judge M. M. Kellogg has been appointed Judge of the juvenile court by Mayor Rydman. The appointment meets with general favor. Mr. Kellogg is a favorite with the young people with whom he is acquainted.

Quarterly conference is in session today. Apostle Reed Smoot remained at home for the conference.

The Commercial club entertained a large number of people last night at the clubhouse. All owners of horses that were in the horse show today were invited guests. A fine programme was rendered, after which refreshments were served.

**FARMERS' INSTITUTE AT MT. PLEASANT**

Special to The Tribune.  
EPHRAIM, Utah, April 15.—The Farmers' institute was held here Tuesday and Wednesday and was well attended by representative farmers from all over the county. Interesting papers were read by local men, and Prof.

## Bright's Disease and Diabetes News.

Office Wine and Spirit Review, San Francisco, Apr 15, 1905.  
To the Editor of The Tribune—

Dear Sir:—The business men of this city who are proclaiming to the world the discovery of the cure for Bright's Disease and Diabetes have asked me as one of the beneficiaries to write to my brother editors. Hence this letter to you. I was as skeptical as any one. I had a clear case of chronic Bright's Disease; was ill for a year. It was not thought I would live thirty days. The President of the Pacific States Type Foundry told my wife about it, and against my private convictions I was put on it. In six months my recovery was complete.

I told several who got well. Among them was one of the writers on the Call, whose mother had Diabetes. She has fully recovered. As a brother editor I personally assure you of the truth of the discovery.

Fraternally yours,  
R. M. Wood, Editor.

The above refers to the newly discovered Euton Compound, the first cure the world has ever seen for Bright's Disease and Diabetes. We are the sole agents. Ask for pamphlet E. J. Hill Drug Co.

When to suspect Bright's Disease—weakness without cause; puffiness, hands or eyelids; kidney trouble after the third month; urine may show sediment falling; vision; drowsiness; one or more of these.

**DRINK IDAN-HA**  
NATURAL LITHIA WATER.  
"Makes everything Good."  
F. J. Kiesel & Co., Ogden, Rieger & Lindley, Salt Lake, Distributors.

good strong team, and they promise the Park City people some fast ball this summer.

**About American Fork.**  
Special to The Tribune.  
AMERICAN FORK, Utah, April 15.—The springing of the American Fork dam has commenced suit against Joseph M. Crandall, Cyrus Johnson and G. W. Shaw to collect \$2500 alleged to be due on a promissory note.

William C. Brown of Sandy, 22 years of age, has been committed to the State Mental hospital.

About fifty excursionists left here today for Provo, to witness the horse fair.

**TEA**  
What else can you buy as you buy Schilling's Best?

Your choice is yours, if you don't like it.

**MT. PLEASANT WANTS HIGH SCHOOL**

Special to The Tribune.  
MT. PLEASANT, Utah, April 15.—The school board of this city has called a meeting of the citizens to determine the question of having a high school established during the coming school year. Should the proposition be acceptable to the voters, the board will make preparations to that end and another room will be put in readiness in the Central school building.

A double wedding took place this week at the home of Martin Hasmussen. Lillie May Rosen and Joseph Sandermark, Myron Hines and Rose Larson of Ephraim, were the contracting parties. A large crowd of friends were in attendance at the wedding.

William Haden returned to Mack, Colo., this week after spending a few days at home with his family.

Mrs. and Mrs. Joseph N. Seely came in this week from their Canadian home for a short visit.

But Seely of this city has been called on a mission to Japan. The young man has been attending the Snow academy for some time preparatory for mission work. This is the first time that any Mount Pleasant young man has been called to the land of the Mikado.

The Mt. Pleasant soda water factory was sold this week to Frank Trickett, who came in from Newhouse to make the purchase. He will take possession at once.

The district school children will present the operetta, "The National Flower," next Friday evening at the opera house. The cast as made up includes the students of the school and a rare treat is promised the people of our city by those who are taking part.

**UTAH COUNTY HOLDS HORSE SHOW AT PROVO**

Special to The Tribune.  
PROVO, Utah, April 15.—The Utah County Horse Show, gotten up by the Commercial club of Provo, was a decided success. About forty of the best bred horses in the State were in the parade. Senator Smoot addressed the people from a stand in the city hall square. The biggest crowd that has been in Provo since the circus last year was in attendance. Cheap rates on the railroads enabled the people to come here and enjoy a day's outing. The horse show is the forerunner of a county fair to be held here next fall. If the people will work as hard for the fair as they did for the horse show today, Utah county will certainly have a successful fair. The Commercial club is working hard for the interests of Utah county and Provo.

The Utah County Teachers' association met today in the regular monthly meeting.

Judge M. M. Kellogg has been appointed Judge of the juvenile court by Mayor Rydman. The appointment meets with general favor. Mr. Kellogg is a favorite with the young people with whom he is acquainted.

Quarterly conference is in session today. Apostle Reed Smoot remained at home for the conference.

The Commercial club entertained a large number of people last night at the clubhouse. All owners of horses that were in the horse show today were invited guests. A fine programme was rendered, after which refreshments were served.

**FARMERS' INSTITUTE AT MT. PLEASANT**

Special to The Tribune.  
EPHRAIM, Utah, April 15.—The Farmers' institute was held here Tuesday and Wednesday and was well attended by representative farmers from all over the county. Interesting papers were read by local men, and Prof.



## GARDNER SUNDAY STORE NEWS

A TALK ON EASTER TOGS.

TOMORROW

or any day this week we will be ready for you.

A few minutes of your time and comparatively little of your money, spent with us

Will make you one of the Best Dressed Men in Salt Lake

When next Sunday, the day to don Spring Clothes, rolls around.

We will suit you in a suit as you would be suited,

For less money than you would expect to pay.

Then we will suit you in all the other things, the same way.

### Easter Bonnets for Men

Not shaped and trimmed like those the ladies wear, though no less stylish, but a great deal less expensive.

The new Derbies and Soft styles \$2.50, \$3.50 and \$5.

### Easter Togs for Boys

Lots of nice, new things for the boys are here. Hats, Caps, Suits, Waists and Blouses of Spring's best and most sensible styles. Qualities the same as Gardner Clothes always are. Priced the Gardner way.

New Easter Shirts

One Price. J. P. GARDNER 136-138 Main St.

New Easter Neckwear

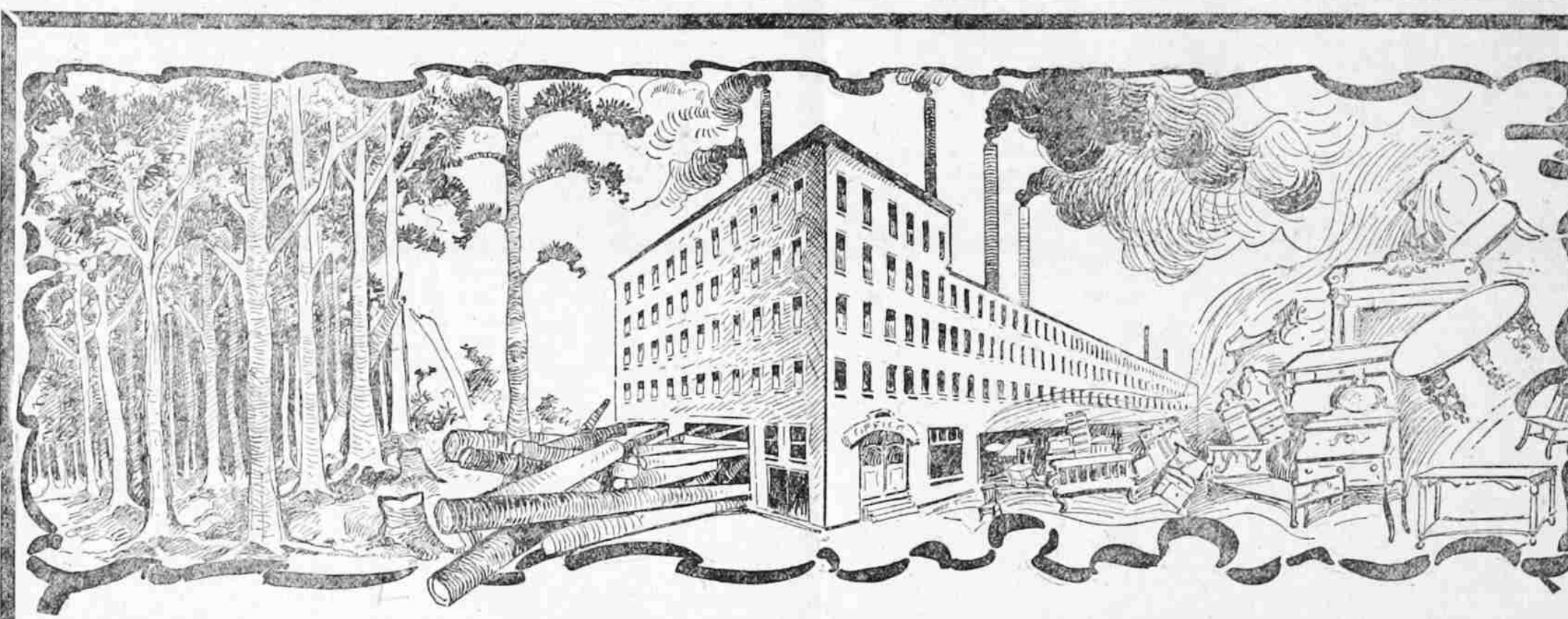
The Quality Store.

### Football at Eureka.

EUREKA, Utah, April 15.—A team picked from the two best association football eleven in Salt Lake will come to Eureka tomorrow (Sunday) to play the Eureka team. The game will be called at 2:30 o'clock at the Eureka baseball park. The Eureka Union band will turn out and the attendance at the game will no doubt be the largest of the season.

### Eureka Official Resigns.

Special to The Tribune.  
EUREKA, Utah, April 15.—Waterman Ben Goodman has tendered his resignation to the city to take effect next Monday. The City Council held a meeting last night and appointed Joseph H. Allen to the office. Mr. Goodman expects to move his family to Seattle, Wash., where he has a position offered him.



# EACH DAY

EACH DAY forest and factory yield to their utmost. EACH DAY of Spring we receive a car from this production. EACH DAY our extensive show rooms are filled with something new and attractive. EACH DAY a little of your valuable time will be well spent in looking over these astonishing creations. EACH DAY many new customers are won by the QUALITY of our goods and our REASONABLE PRICES.



### Genuine Craftsman Furniture!

We alone carry this class of Furniture. It stands for simplicity and yet is full of the artistic. Made of burned oak of all colors.



### Rattan Goods!

Just in receipt of a car of artistic rattan chairs, rockers, couches and fireside chairs. Many new ideas in combination rattan and leather.

# H. Dinwoodey Furniture Co.

UTAH'S LARGEST HOME FURNISHERS.

# "77"

Cures Grip and COLDS

I have used Dr. Humphreys' "Seventeen" for Grip and Colds; why try some of its specifics for other ailments.

- 1 cures Fevers.
- 9 cures Headaches.
- 10 cures Dyspepsia.
- 12 cures Croup.
- 14 cures Eczema.
- 15 cures Rheumatism.
- 16 cures Malaria.
- 20 cures Whooping Cough.
- 27 cures Kidney Diseases.
- 30 cures Bladder Diseases.

Druggists or mailed, 25c each. Medical Guide mailed free.

Humphreys' Homeo. Medicine Co., Cor. 4th and John Streets, New York.